

11-26-04

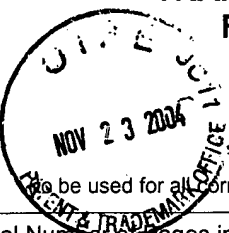

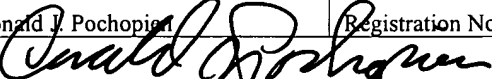
IPW
AF
3738

PTO/SB/21 (09-04)

Approved for use through 7/31/2006

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction act of 1995, no persona are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM  (to be used for all correspondence after initial filing)		Application Number	09/924,110	
		Filing Date	August 7, 2001	
		First Named Inventor	Carter, et al.	
		Art Unit	3738	
		Examiner Name	Alvin J. Stewart	
Total Number of Pages in This Submission		13	Attorney Docket Number	RTI-118IB 01915/13921US03
ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Request For Reconsideration Under 37 C.F.R. §1.116 <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD		
		<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return-Receipt Postcard <input type="checkbox"/> Other Enclosure(s) (please identify below):		
Remarks				
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT				
Firm or Individual Name	McAndrews Held & Malloy, Ltd.			
Name (Print/type)	Donald J. Pochopien	Registration No. (Attorney/Agent)	32,167	
Signature			Date: November 23, 2004	
EXPRESS MAIL DEPOSIT				
"Express Mail" mailing label number : EV 303832479 US Date of Deposit November 23, 2004.				
Name (Print/type)	Donald J. Pochopien	Registration No. (Attorney/Agent)	32,167	
Signature			Date: November 23, 2004	



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Applicant: Carter, *et al.*

Serial No.: 09/924,110

Filed: August 7, 2001

For: "MATERIALS AND METHODS FOR
IMPROVED BONE TENDON BONE
TRANSPLANTATION"

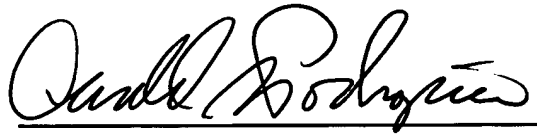
Group Art Unit: 3738

Examiner: Alvin J. Stewart

) CERTIFICATE OF EXPRESS MAILING
)

) I hereby certify that this correspondence is
) being deposited with the United States Postal
) Service as Express Mail in an envelope
) addressed to: Mail Stop AF, Commissioner for
) Patents, P.O. Box 1450, Alexandria, VA 22313-
) 1450 on this:

) November 23, 2004
)

) 
)

) Donald J. Pochopien
) Registration No. 32,167
) Attorney for Applicants

REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Official Action of 09/28/04 (the "Official Action"), for which a response is due 12/28/04, Applicants respectfully request reconsideration under 37 C.F.R. § 1.116 of the final rejection of all claims on the sole issue of obviousness.

This response contains the following:

Amendments to the Claims	pages 2 - 4
Remarks/Arguments	pages 5 - 12